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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,413	02/17/2004	Jason E. Green	20015/10024	1298
34431	7590	12/30/2005		
HANLEY, FLIGHT & ZIMMERMAN, LLC 20 N. WACKER DRIVE SUITE 4220 CHICAGO, IL 60606			EXAMINER CRANE, DANIEL C	
			ART UNIT 3725	PAPER NUMBER

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/780,413	Applicant(s) GREEN ET AL.	
	Examiner Daniel C. Crane	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,3,6-8,10-16,19-45,47-55 and 58-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,3,6-8,10-16,19-45,47-51 and 58-65 is/are allowed.
- 6) ☒ Claim(s) 53-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/08/05</u> | 6) <input type="checkbox"/> Other: _____ |

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RECONSIDERATION

Upon further review of this application, it appears that prior art cited herein is more pertinent than originally considered. Accordingly, the following Office Action is herein made of record.

REJECTION OF CLAIMS OVER PRIOR ART

Claims 52 are rejected under 35 U.S.C. 102(b) as being anticipated by Trishevsky (4,558,577). See column 3, lines 49-54, where

“..a device for monitoring the positioning of the workpiece arranged in front of the first roll-forming stand and comprising a converter 7 including (FIG. 3) copying rollers 8 and 9 for maintaining a constant contact with the edges of the workpiece 10 to be formed.”

See also column 4, lines 42-57, where

“To effect conversion of electrical signal from the device for monitoring the positioning of the workpiece with further transmission of the signal to the drive of a corresponding roll forming stand there is provided a control unit 598 which is a conventional unit but adapted for attainment of the object of the invention in the roll forming machine. The control unit 59 includes primary signal transducers to receive signal from the converter 7, a programming device for setting the direction of transverse movements of the forming members and the speed of such movements, a signal divider connected to corresponding drives for effecting transverse movements of the forming members (the contents of the control unit 59 not disclosed in the drawings and the specification since such arrangement are well known in the art”.

Additionally, applicant's attention is directed to column 4, lines 24-28, where

“The lever systems provide for positioning of each pair of the forming rollers during adjustment for any predetermined angle of bend pr pass in accordance with the roll-forming pattern and the workpiece thickness S_0 .”

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Accordingly, it is clearly evident that the position of the component is ascertained and the information is controlled through a control unit and programming device that inherently contains storage and memory features facilitating the adjustment of the rollers based on these different parameters. Further, “controlling flare” is performed by the Trishevsky’s device (per the preamble of claim 1) in that the flange forming produces flare and detection of the “flare” (angle” during the rolling operation.

Claims 53-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trishevsky (4,558,577) in view of Toutant (4,878,368). Trishevsky has been treated supra. To have further ascertained the tolerance of the measured values during the detecting and rolling operation would have been obvious to the skilled artisan as taught by Toutant at column 9, lines 9-21, would have been obvious to the skilled artisan so as to obtain a rolled flange that falls within strict tolerance measurements. LVDT’s and linear encoders are common as evidenced by Toutant.

INDICATION OF ALLOWABLE SUBJECT MATTER

Claims 2, 3, 6-8, 10-16, 19-45, 47-51 and 58-65 are allowed.

RESPONSE TO APPLICANT’S COMMENTS

Applicant’s remarks have been considered, however, they are moot in light of the new grounds of rejection, such rejection not having been necessitated by applicant’s amendment.

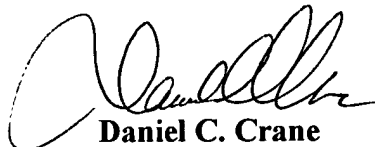
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INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner D. Crane whose telephone number is **(571) 272-4516**. The examiner's office hours are 6:30AM-5:00PM, Tuesday through Friday. The examiner's supervisor, Mr. Derris Banks, can be reached at **(571) 272-4419**.

Documents related to the instant application may be submitted by facsimile transmission at all times to Fax number (571) 273-8300. Applicant(s) is(are) reminded to clearly mark any transmission as "DRAFT" if it is not to be considered as an official response. The Examiner's Fax number is **(571) 273-4516**.

DCCrane
December 22, 2005



Daniel C. Crane
Primary Patent Examiner
Group Art Unit 3725